

The article was alleged to be misbranded in that its labeling contained representations that it was efficacious as a general purifier; that it would act directly upon the liver and purge it of its excess toxins; would help the flow of bile; would be efficacious in the relief of rheumatism, arthritis, neuritis, lumbago; that it would act as a tonic for the stomach, liver, kidneys, and bowels; would make the digestive organs clean; improve the system in general; overcome constipation, remove poisons, restore normal alkaline dominance, render the system less susceptible to disease, relieve liver congestion; would get rid of the symptoms of diabetes, i. e., loss of weight, thirst, hunger, frequency of urination, and would drive the sugar from the urine; and that it would have a diuretic action upon sluggish kidneys, which representations were false and misleading since it was not efficacious for the purposes recommended.

On November 25, 1940, the claimant, the Neutro Distributing Association, having withdrawn its claim and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

388. Misbranding of Parkelp and Parkelp Tablets. U. S. v. 10 Cartons of Parkelp and 58 Cartons of Parkelp Tablets. Default decree of condemnation and destruction. (F. D. C. No. 3265. Sample Nos. 44487-E, 44488-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On October 29, 1940, the United States attorney for the District of Colorado filed a libel against 10 cartons each containing 7 ounces of Parkelp, 17 cartons each containing 200 Parkelp Tablets; 31 cartons each containing 500 Parkelp Tablets, and 10 cartons each containing 800 Parkelp Tablets at Denver, Colo., which had been consigned by Philip R. Park, Inc., alleging that the article had been shipped in interstate commerce on or about August 2, 1940, from San Pedro, Calif.; and charging that it was misbranded.

Analysis showed that the Parkelp consisted of dried kelp (seaweed); and that the tablets consisted of the same material compressed into tablet form.

The article was alleged to be misbranded in that representations in the labeling that it would be efficacious to improve the appetite, nutrition, bowel function, and skin condition; that it would be efficacious in the treatment of the hair and scalp; that it would be efficacious in secondary anemia, rickets, and other types of bone deficiency, and that it would supply adequate amounts of minerals to the diet, thus relieving colds, anemia, obesity, asthma, acidosis, mental exhaustion, rheumatism, stomach, kidney and bladder trouble, heart disorders, constipation, general debility, headaches, weakness, eczema, underweight, fatigue, glandular disturbances, goiter, thin blood, and poor circulation; and that it would be efficacious to decrease nervous irritability, increase alertness and cause marked improvement in the mental condition of dull listless children and would regulate weight and growth, were false and misleading since it would not be efficacious for such purposes.

On December 23, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

389. Misbranding of Pronto. U. S. v. 157 Packages of Pronto. Default decree of condemnation and destruction. (F. D. C. No. 3246. Sample No. 30159-E.)

The label of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On November 4, 1940, the United States attorney for the Northern District of Illinois filed a libel against 157 packages of Pronto at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 8, 1940, by Alfred S. Hope from Los Angeles, Calif.; and charging that it was misbranded.

Analysis showed that the article consisted of powders, each containing bismuth subcarbonate (9.15 grains), magnesium oxide 4.22 grains), aspirin (free and combined, 3.6 grains), a silicate such as kaolin, and sugar.

The article was alleged to be misbranded in that representations in the labeling that it was efficacious in the treatment of stomach and bowel ailments, colitis, and ulcers including acute, long-standing and severe cases, duodenal ulcers, acute pains, vomiting "showing of blood" accompanying ulcers and colitis; that it would spread a thin protective film over the lining of the entire digestive canal and would heal or soothe; that it would quiet down the colon and other fretful organs, control nervousness and contractions, and restore exhausted tissues, or normal functions, were false and misleading since it was not efficacious for such purposes.

On March 7, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

390. Misbranding of Ro-Mari. U. S. v. 141 Bottles of Ro-Mari. Default decree of condemnation and destruction. (F. D. C. No. 2210. Sample No. 5990-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On June 14, 1940, the United States attorney for the Northern District of Ohio filed a libel against 141 bottles of Ro-Mari at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce within the period from on or about February 17 to on or about April 1, 1940, by the American Ru-Mari Co. from Los Angeles, Calif.; and charging that it was misbranded.

Analysis showed that the article contained about 99 percent water with small proportions of potassium carbonate, sodium carbonate, sodium hydroxide, sodium chloride, sodium sulfate, and a trace of an organic compound such as chloramine T.

The article was alleged to be misbranded in that the word "Ru-Mari" which constituted a part of the firm name "American Ru-Mari Company" and appeared in the labeling, was false and misleading since it suggested that the article was a remedy for rheumatism; whereas it was not. It was alleged to be misbranded further in that its labeling bore representations that it would be efficacious to attack and correct harmful acid conditions, that it possessed effective diuretic action, and would be efficacious for arthritis, neuritis, sciatica, lumbago, gout, and allied conditions; and that it was designed to strike at the cause of pain and stiffness, and would promote elimination of toxin-forming matter through the urinary tract and was a blood conditioner, which representations were false and misleading since it was not efficacious for the purposes recommended.

On October 4, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

391. Misbranding of T-P Preparation. U. S. v. 35 Packages of T-P Preparation External and Internal. Default decree of condemnation and destruction. (F. D. C. No. 2030. Sample No. 142-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On May 24, 1940, the United States attorney for the Middle District of Georgia filed a libel (amended July 13, 1940) against 35 packages of the above-named product at Valdosta, Ga., alleging that the article had been shipped in interstate commerce on or about January 26, 1940, by the Tee Pee Chemical Co. from Durham, N. C.; and charging that it was misbranded.

The article consisted of a bottle of liquid and a box of tablets. Analysis showed that the liquid consisted essentially of water, berberine sulfate, boric acid, borax, and bismuth subnitrate; and that the tablets consisted essentially of cubeb, a laxative plant drug such as cascara sagrada, ferrous carbonate, and resinous material such as Venice turpentine and copaiba.

The article was alleged to be misbranded in that the following statements, (carton) "T-P * * * Preparation External and Internal," (bottle) "T. P. * * * External Injection * * * After voidance of urine (passing water), inject small syringeful three times daily. Inject slowly and hold in urethra for several minutes. For best results use T. P. as directed for 3 or 4 weeks," and (circular) "The following directions will be found very beneficial when using T. P. Preparation: Eat very little meat; drink large quantities of water. Do not drink whiskey, wine or beer. T. P. Preparation is absolutely safe and harmless. You will be positively satisfied after using T. P. Preparation. For best results continue using T. P. Preparation for at least three or four weeks," were false and misleading since they created the impression that the article constituted a treatment for gonorrhea; whereas it did not constitute a treatment for gonorrhea.

On September 16, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

392. Misbranding of Vibratherm. U. S. v. 17 Retail Packages of Vibratherm. Default decree of condemnation and destruction. (F. D. C. No. 2176. Sample No. 4032-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.